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11

Number of Pages (including this page)

Date: July 18, 2006
To Examiner: Phan, Huy Q
Location: United States Patent and Trademark Office
Fax No.: Centralized Fax Number: 1 (571) 273-8300
From: Larry G. Brown - Registration No. 45,834
Attorney's Docket No. CE10823N - Dorenbosch, et al. Confirmation No. 7344

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MESSAGE:

In connection with the above-identified Patent Application, please find attached herewith the following documents:

- 1 page Transmittal Form;
- 1 page Fee Transmittal (in duplicate); and
- 7 pages Reply Brief.

PLEASE DELIVER THESE PAPERS TO:

EXAMINER:	Phan, Huy Q
GROUP ART UNIT:	2687
SERIAL NO.:	10/649,756
FILED:	August 26, 2003
INVENTOR:	JHEROEN P. DORENBOSCH, ET AL.

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Signature: 

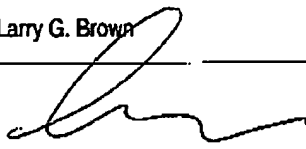
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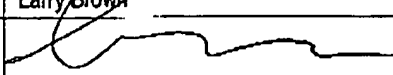
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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/649,756		
	Filing Date	August 26, 2003		
	First Named Inventor	Jheroen P. Dorenbosch		
	Group Art Unit	2687		
	Examiner Name	Phan, Huy Q		
Total Number of Pages in this Submission		10	Attorney Docket Number	CE10823N

ENCLOSURES		(check all that apply)
<input checked="" type="checkbox"/> Fee Transmittal Letter <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below)
Remarks _____ <input checked="" type="checkbox"/> Facsimile Transmittal of Reply Brief		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Larry G. Brown	Registration No.	45,834
Signature			
Date	July 18, 2006		

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Typed or printed name	Larry Brown
Signature	
Date	July 18, 2006

FEE TRANSMITTAL Patent fees are subject to annual revision <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Application Number</td> <td>10/649,756</td> </tr> <tr> <td>Filing Date</td> <td>August 26, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Jheroen P. Dorenbosch</td> </tr> <tr> <td>Examiner Name</td> <td>Phan, Huy Q</td> </tr> <tr> <td>Group Art Unit</td> <td>2687</td> </tr> <tr> <td>Attorney Docket No.</td> <td>CE10823N</td> </tr> </table>		Application Number	10/649,756	Filing Date	August 26, 2003	First Named Inventor	Jheroen P. Dorenbosch	Examiner Name	Phan, Huy Q	Group Art Unit	2687	Attorney Docket No.	CE10823N
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TOTAL AMOUNT OF PAYMENT (\$)		120.00													

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <u>502117</u> Deposit Account Name: <u>Motorola, Inc.</u> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Large Entity</th> <th></th> <th>Small Entity</th> <th></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2090</td><td>2255</td><td>1040</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1370</td><td>2501</td><td>685</td><td>Utility issue fee (or issuance)</td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>650</td><td>2503</td><td>330</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(b)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>790</td><td>2808</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.120(b))</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr><td colspan="5">SUBTOTAL (3) (\$) 120.00</td></tr> </tbody> </table>		Large Entity		Small Entity		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	1051	130	2051	65	Surcharge - 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FEE CALCULATION					
1. BASIC FILING FEE					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)		Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$) 0					
2. EXTRA CLAIM FEES					
Total Claims		Previously Paid**	=	Extra Claims	X
Independent Claims		20	=	18	X
		3	=	88	
Multiple Dependent				300	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)		Fee Description
1202	18	2202	9		Claims in excess of 20
1201	88	2201	44		Independent claims in excess of 3
1203	300	2203	150		Multiple dependent claim, if not paid
1204	88	2204	44		* Reissue independent claims over original patent
1205	18	2205	9		Reissue claims in excess of 20 and over original Patent
SUBTOTAL (2) (\$) 0					

** or number previously paid, if greater; For Reissues, see above.

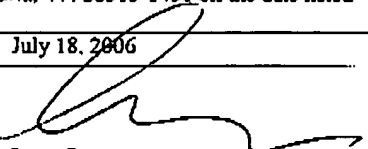
SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Larry G. Brown	Registration No.	07/19/2006 HBMAS 00000023550213429510649756
Signature	[Signature]	Date	01 FC/1251 July 18, 2006

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CENTRAL FAX CENTER**Application No. 10/649,756
Reply Brief dated July 18, 2006**JUL 18 2006**

CE10823N

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANT: Jheroen P. Dorenbosch ART UNIT: 2687
APPLN. NO.: 10/649,756 EXAMINER: Phan, Huy Q
FILED: August 26, 2003
TITLE: SYSTEM AND METHOD TO IMPROVE WLAN HANDOVER
BEHAVIOR AT ENTRY/EXIT POINTS

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Date:	July 18, 2006
Signature: Typed or Printed Name:	 Larry Brown

REPLY BRIEF

Mail Stop: APPEAL BRIEF-PATENTS
Commissioner for Patents
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Alexandria, VA 22313-1450

Attention: Board of Patent Appeals and Interferences

Dear Chief Administrative Patent Judge:

This Reply Brief is in response to the Examiner's Answer filed on May 5,
2006.

Page 1 of 7

Application No. 10/649,756
Reply Brief dated July 18, 2006

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Any fees required for filing this Reply Brief have been authorized in the accompanying forms.

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**ARGUMENT IN RESPONSE TO EXAMINER'S GROUNDS OF REJECTION
AND RESPONSE TO ARGUMENTS SECTIONS**

The recitations of U.S. Patent Application Publication No. 2005/0079864 to Johnson, et al. (Johnson) do not render the invention of claims 1-5, 9-12, 14, 15, 25-29, 33, 34 and 39-41 unpatentable.

Independent claims 1, 12 and 25 recite the limitation that a registration sequence is initiated in response to detecting a first signal from the egress portal or an electronic device located in proximity with the egress portal in which the first signal is associated with indicating passage through the egress portal. The claims also recite the limitation that a registration sequence with a second wireless system is initiated in response to the detection of the first signal. Johnson simply does not describe such features.

Concerning Johnson, the Examiner notes that the public network pages MS2 as part of the phantom call procedure, which is performed when the handover agent determines that MS2 is moving out of the coverage of the private network (i.e., WLAN) (see paragraph 0019 of Johnson and page 18 of the Examiner's Answer). The Examiner also concludes that "[s]ince the system switches from the public network to the private network, a signal must be detected from the egress portal/base station in order to follow the registration procedure." (see page 18 of the Examiner's Answer).

Application No. 10/649,756
Reply Brief dated July 18, 2006

CE10823N

Applicants respectfully disagree that this description in Johnson reads on the above claim limitation. In particular, in Johnson, the handover agent determines when mobile units are close to exiting the coverage of the private network by focusing on "diminishing network signals or increasing macro network signals," which are measured at the mobile unit, not the base stations (see paragraph 0019). Thus, no first signal associated with movement through an egress portal is detected from an egress portal, as in the present claim. Moreover, the registration procedure with the public network in Johnson is initiated when the MS2 is first switched on in the private network and has nothing to do with detecting passage through an egress portal (see paragraph 0019). In other words, the mobile unit in Johnson is registered with the public macro network long before the mobile unit reaches a gateway cell.

Independent claim 39 recites that the movement of the mobile device from a coverage area of the first network to a coverage area of the second network is detected by the egress portal. In contrast, movement of the mobile unit from the private cell to the gateway cell in Johnson is detected by the handover agent, which strictly relies on changes in signal strength to do so (see paragraph 0019). The claimed invention is far more flexible because the egress portal, as a result of its ability to be strategically positioned near an exit, can facilitate the use of a triggering event to cause the mobile unit to begin searching for the first signal from the egress

Application No. 10/649,756
Reply Brief dated July 18, 2006

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portal as part of its registration sequence. Johnson never mentions anything about placing the handover agent near an exit or entry point.

The Examiner attempts to equate the handover agent with an egress portal by insinuating that base stations are part of the handover agent (see pages 18-19 of the Examiner's Answer). In response, Applicants note that independent claim 39 also recites that the egress portal does not include a WLAN access point. As such, the handover agent of Johnson in combination with the base stations does not read on claim 39.

The recitations of U.S. Patent Application Publication No. 2003/0134636 to Sundar, et al. (Sundar) and U.S. Application Publication No. 2004/0137902 to Chaskar, et al. (Chaskar) do not render the invention of claims 18-24 unpatentable.

Independent claims 18, 20 and 23 include the claim element that the egress portal resides within a cell of a WLAN and occupies a region that is smaller than the cell. These claims also recite that a signal is detected from the egress portal in response to detecting a triggering event and that the signal is associated with indicating passage through the egress portal. The Examiner correctly points out that Sundar does not teach the feature of the egress portal residing within a cell of the WLAN and occupying a region smaller than the cell (see page 13 of the Examiner's Answer) but interprets the WLAN access point of Chaskar as an egress

Application No. 10/649,756
Reply Brief dated July 18, 2006

CE10823N

portal that occupies a region smaller than a cell (see page 19 of the Examiner's Answer).

Applicants contend, however, that it is not possible to walk or pass through a physical WLAN access point, as that term is understood by one of skill in the art. In contrast, the egress portal of the claims at issue allows for such a process to occur. Moreover, Applicants note that the act of passing through the egress portal cannot apply to the coverage area of the WLAN access point of Chaskar because the claims here expressly state that the egress portal occupies a region smaller than a WLAN cell. The coverage areas of the access points in Chaskar are indeed WLAN cells (see paragraph 0045), and one of skill in the art would understand that these coverage areas – because they are WLAN cells – do not occupy a region smaller than a WLAN cell.

Application No. 10/649,756
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Conclusion

Applicants contend that none of the cited prior art references describe the subject matter presented in the claims of the present invention. For the reasons set forth above, the claims on appeal present patentable subject matter such that reversal of the rejection is appropriate.

Respectfully submitted,

By: 

Larry G. Brown

July 18, 2006

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